

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 5 October 2007. Independent Claims 8 and 15 have now been amended to more clearly clarify the Applicant's inventive concept as defined by the now-amended Claims. Additionally, Claims 9 and 16 were objected to by the Examiner for grammatical errors and in response, Claims 9 and 16 have now been amended to remove the Examiner objections.

The Examiner has rejected Claims 8-16 and 18-24 under 35 U.S.C. § 102 as being anticipated by the Cantoni Patent 6,115,486 reference.

Prior to a discussion of the Examiner's rejection, it is believed that it will be beneficial to briefly review the subject Application invention concept in light of the amended Claims.

The subject Application is particularly directed to the remote managing of medical apparatus which is incompatible with the DICOM format through use of a remote device 40 which is coupled to a server 30 as is seen in Fig. 1. The server 30 is electrically connected to a digital conversion device 20 which in itself is coupled to the medical apparatus 11 which is incompatible with the DICOM format.

Thus, the subject system provides for a system and method of applying non-compatible DICOM formats of a medical device 11 with a remote device 40

in combination with a server 30 for storing image storages in a database 31 in a DICOM format.

In order to permit communication and conversion between a DICOM format and a non-DICOM format the digital conversion device 20 converts the medical image signals from the medical device 11 incompatible with the DICOM format into digital image data which complies with the DICOM format.

The use of the subject system and method is particularly directed to medical apparatus which are non-radiological in nature which is particularly sensitive to non-DICOM formats being converted to DICOM format.

The Examiner has rejected Claims 8-16 and 18-24 in view of the Cantoni Patent 6,115,486 reference. The Cantoni reference directs itself to a teleradiology system for storage/transmission of angiographic and related image sequences. In particular, the Cantoni reference is directed to DICOM format compatible systems. The Cantoni reference does not direct itself to a digital conversion device where the medical apparatus signals must be converted from a non-DICOM format to a DICOM format for use with a remote device as is necessary to the subject invention concept.

The Cantoni reference only directs itself to the DICOM format but does not direct itself to any conversion between DICOM formats and non-DICOM formats. The only mention in the Cantoni reference is that the review station may be used to download image sequences in an industry standard DICOM disc writing format

to transfer the image sequences from a CD-ROM from another system into the present system and provide for some compressed image data files for transmission through an information system.

In overall concept the Cantoni system provides for storage/transmission portions 12 and an image sequence receiving portion 14. The storage/transmission system may include an x-ray system 10 which is coupled to a network base or interface station 18. An archive station 20 is provided with a CD-ROM carousel station and a hemodynamic monitoring system 24. Finally, there is a file server 26 and a review station 28.

However, there is absolutely no indication or provision, or elements, or steps which direct itself to the purposes and objectives of the subject invention system in that the subject system converts non-DICOM format into a DICOM format for use with a remote device.

Thus, the Cantoni reference does not provide for: "... converting said medical image signals from said medical device incompatible with DICOM format into digital image data complying with the DICOM format within said digital conversion device ...", as is necessary to now-amended independent Claim 8.

With respect to the system, independent Claim 15 as now amended, the Cantoni reference does not show a "... medical apparatus incompatible with the DICOM format ...", nor does it provide for: "... a digital conversion device connected to said medical apparatus non-radiological device for converting said

medical image signals from said medical device incompatible with said DICOM format into DICOM digital image data ...”, as is further necessary to now amended independent Claim 15.

With regard to the independent Claim 21 as now amended, the Cantoni reference does not provide for: “... an image capturing unit connected to said medical apparatus non-radiological device operable to capture said non-DICOM format medical image signals and convert said non-DICOM medical image signals into digital image data conforming to the DICOM format ...”.

The Cantoni reference does not direct itself to the purpose and objectives of the subject system. The Cantoni reference does not provide for the elements necessary for the conversion of a non-DICOM format image signal to a “DICOM image signal format” which permits the use of old-type medical apparatus with a server and remote device operating in a DICOM format.

Thus, since the Cantoni reference does not provide for all of the elements of independent Claims 8, 15 and 21, it is not believed that the Cantoni reference anticipates the subject Application system. Additionally, since the purposes and objectives of the Cantoni reference are not directed to the purposes and objectives of the subject system and method for the conversion of non-DICOM format image signals to DICOM image signals, it is not believed that the Cantoni reference makes obvious the subject invention system and method.

The remaining Claims are all ultimately dependent upon now amended independent Claims 8, 15 and 21 and are believed to show patentable distinction over the prior art for at least the same reasons as previously discussed for the independent Claims.

It is now believed that the subject Patent Application has been placed in condition for allowance and such action is respectfully requested.

If there are any further charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
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